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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/17/2003

Toshiharu Tobishi

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EXAMINER

HASAN, SYED Y

ART UNIT

PAPER NUMBER

2621

MAIL DATE

DELIVERY MODE

06/01/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/686,571		TOBIISHI, TOSHIHARU	
	<b>Examiner</b>		<b>Art Unit</b>	
	Syed Y. Hasan		2621	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 - 10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Continuation Sheet</u>                                    | 6) <input type="checkbox"/> Other: _____                          |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :1/30/2004, 10/17/2005, 12/09/2005, 08/08/2006.

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities:

- (1) On page 21, line 25, "Fig. 1" should be "Fig. 2" per figure 2.
- (2) On page 22, line 1, "Fig. 1" should be "Fig. 2" per figure 2.
- (3) On page 22, line 21, "Fig. 1" should be "Fig. 2" per figure 2.
- (4) On page 22, line 24, "Fig. 1" should be "Fig. 2" per figure 2.
- (5) On page 32, line 4, "Fig. 1" should be "Fig. 2" per figure 2.
- (6) On page 32, line 8, "Fig. 1" should be "Fig. 2" per figure 2.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yun (US 5771329) in view of Mitsui et al (US 6802074)

Regarding claim 1 Yun discloses a signal receiving apparatus (figure 1) comprising:

a selection circuit for selecting a reception subject (figure 1, 10, col 2, lines 40 – 43)

a recording device for recording a received signal of the reception subject (figure 1, col 2, lines 57 – 60) and

a control unit for controlling start of recording a signal on the recording device (figure 1, 40, col 2, lines 45 – 46) wherein

the control unit starts recording of the signal on the recording device on condition that a selected time over which the reception subject has been selected (col 2, lines 49 – 54, illustrates control unit recording based on predetermined time)

Yun however does not disclose recording on condition that a selected time over which the reception subject has been selected exceeds a predetermined time.

However, Mitsui et al, on the other hand, teaches recording on condition that a selected time over which the reception subject has been selected exceeds a predetermined time (col 12, lines 48 – 53)

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate recording on condition that a selected time over which the reception subject has been selected exceeds a predetermined time as taught by Mitsui et al in the system of Yun in order to prevent missing a highlight of the program from being recorded.

The method claim 10 is being rejected based on claim 1 above.

4. Claims 2, 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yun (US 5771329) in view of Mitsui et al (US 6802074) and further in view of Kang et al (US 5543933)

Regarding claim 2 Yun and Mitsui et al disclose all of the above except a signal

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receiving apparatus wherein the predetermined time can be set by the user.

Kang et al on the other hand teaches a signal receiving apparatus wherein the predetermined time can be set by the user (col 5, lines 10 -18 illustrate user setting predetermined time)

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate a signal receiving apparatus wherein the predetermined time can be set by the user as taught by Kang et al in the combined system of Yun and Mitsui et al in order to ensure that the program is being recorded.

Regarding claim 3 Yun discloses a signal receiving apparatus, wherein the reception subject is a broadcasting station (col 2, lines 40 – 42)

However Yun and Mitsui et al do not disclose the selected time is time over which a broadcast signal broadcasted by the broadcasting station is selected and received.

Kang et al on the other hand teaches the selected time is time over which a broadcast signal broadcasted by the broadcasting station is selected and received (col 9, lines 48 – 60 illustrate the selected time over which broadcast signal is received)

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the selected time is time over which a broadcast signal broadcasted by the broadcasting station is selected and received as taught by Kang et al in the combined system of Yun and Mitsui et al in order to ensure that the program is being recorded.

Claim 4 is rejected based on claim 3 above.

5. Claims 5, 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yun (US 5771329) in view of Mitsui et al (US 6802074) and further in view of Gorbatov et al (US 6792617)

Regarding claim 5 Yun discloses a signal receiving apparatus, wherein the reception subject is a broadcasting program (col 2, lines 40 – 42) and the control unit conducts control to terminate the recording (col 3, lines 37 – 41)

However Yun and Mitsui et al do not disclose terminate the recording when a program started in recording has finished

Gorbatov et al on the other hand teaches terminate the recording when a program started in recording has finished (col 9, lines 2 – 5 illustrate terminating the recording when program finishes)

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate terminate the recording when a program started in recording has finished as taught by Gorbatov et al in the combined system of Yun and Mitsui et al in order to ensure that the program stops recording automatically when the broadcast has ended.is being recorded.

Regarding claim 6 Yun and Mitsui et al do not disclose a signal receiving apparatus, wherein the control unit starts recording further on condition that at least one of reception subject information, reception date, reception day of the week and reception time satisfies a predetermined requirement.

However, Gorbatov et al, on the other hand, teaches a signal receiving

apparatus, wherein the control unit starts recording further on condition that at least one of reception subject information, reception date, reception day of the week and reception time satisfies a predetermined requirement (col 3, lines 32 – 35)

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate a signal receiving apparatus, wherein the control unit starts recording further on condition that at least one of reception subject information, reception date, reception day of the week and reception time satisfies a predetermined requirement. as taught by Gorbatov et al in the combined system of Yun and Mitsui et al in order to ensure that the program stops recording automatically record the program based on user inputs.

Claim 7 is rejected based on claim 6 above.

6. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yun (US 5771329) in view of Mitsui et al (US 6802074) and further in view of Robbins (US 6317882)

Regarding claim 8 Yun and Mitsui et al do not disclose a signal receiving apparatus, further comprising a perception generating device for generating perception of the received signal, wherein operation of the perception generating device can be stopped separately from operation of the recording device.

However, Robbins teaches, a signal receiving apparatus, further comprising a perception generating device for generating perception of the received signal (col 6, lines 7 – 9 illustrating perception of the received signal) wherein operation of the perception generating device can be stopped separately from operation of the recording



device (col 5, 63 – 65 illustrating the activation of automatic reminder which can be turned off irrespective of recording)

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate a signal receiving apparatus, further comprising a perception generating device for generating perception of the received signal, wherein operation of the perception generating device can be stopped separately from operation of the recording device as taught by Robbins in the combined system of Yun and Mitsui et al in order to ensure that the program displays the appropriate message for the user to take action.

Regarding claim 9 Yun and Mitsui et al do not disclose a signal receiving apparatus, further comprising a circuit for generating perception of the start of the recording, or advance notice concerning the start of the recording.

However, Robbins teaches, a signal receiving apparatus, further comprising a circuit for generating perception of the start of the recording, or advance notice concerning the start of the recording (col 6, lines 7 – 9 illustrating perception of start of recording)

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate a signal receiving apparatus, further comprising a circuit for generating perception of the start of the recording, or advance notice concerning the start of the recording as taught by Robbins in the combined system of Yun and Mitsui et al in order to ensure that the program displays the message for the start of the recording

**Conclusion**

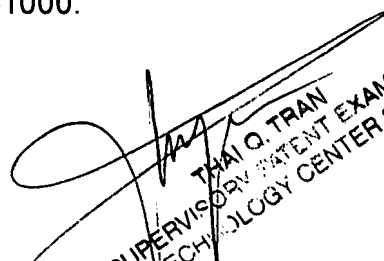
7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure

SON et al (US 2003/0035647) discloses a reserved program setting method and apparatus for a program review.

YOUNG et al (US 2003/0159147) discloses a television schedule system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed Y. Hasan whose telephone number is 571-270-1082. The examiner can normally be reached on 9/8/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
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